

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-5 and 28-38 are pending in this application. Claims 1-5 have been amended and new Claims 28-38 have been added to better define the present invention without the introduction of any new matter, Note pages 13-18 and the discussion of Figs 6-8, for example, as to user data added claims. Claims 6-27 have been canceled without prejudice or disclaimer.

The outstanding Office Action includes a rejection of Claim 1 under 35 U.S.C. §102(b) as being anticipated by Harada et al. (U. S. Patent No. 5,721,583, Harada), and a rejection of Claims 2-5, 9, 10, and 21-27 as being unpatentable over Harada in view of Foster (U.S. Patent No. 6,211,583).

Turning to the rejection of Claim 1 under 35 U.S.C. §102(b) as being anticipated by Harada, it is noted that this reference fails to teach various limitations of Claim 1 including the required “control means for controlling selection of a program from the storage means in response to the terminal device information received by the communication means from the terminal device” of independent Claim 1. Accordingly, withdrawal of this rejection as applied to Claim 1 is believed to be in order.

With further regard to the rejection of Claims 2-5, 9, 10, and 21-27 as being unpatentable over Harada in view of Foster, the cancellation of Claims 9, 10, and 21-27 is believed to render the rejection thereof on this grounds moot.

Moreover, as Claims 2-5 depend ultimately from Claim 1, and as Foster does not cure the above noted deficiency of Harada, it is respectfully submitted that this rejection as applied

to Claims 2-5 should also be withdrawn.

Turning to new Claims 28-32, it is noted that base independent Claim 28 of this group contains a limitation similar to that noted above as to Claim 1 in terms of the recited “control means for selecting one of the programs stored in a data storage device in response to the terminal device information received by the communication means and the personal user data.”

Once again, it is noted that neither Harada nor Foster considered alone or together in any proper combination teach or suggest this limitation such that Claim 28 and Claims 29-32 that depend thereon are believed to patentably define over these references.

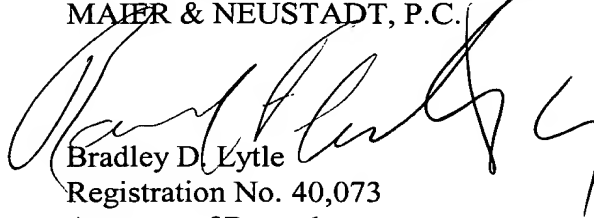
Similarly, new base independent Claim 33 recites features not shown or suggested by Harada or Foster considered alone or together in any proper combination. Note, for example, the Claim 33 “means for controlling the transmission by the communication means to the terminal device of function control signals from the means for executing and user personal data from the means for providing, the terminal device being controlled by the transmitted control signals to perform corresponding functions, at least one of the functions being performed requiring the user personal data to enable performance thereof.” Once again, it is noted that neither Harada nor Foster considered alone or together in any proper combination teach or suggest this limitation such that Claim 33 and Claims 34-38 that depend thereon are believed to patentably define over these references.

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Reply to Office Action of 11/05/04

As no further issues are believed to remain outstanding in the present application, it is believed that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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